



Atty. Dkt. No. 050374-0108

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jihoon KANG et al.
Title: ENGINE TORQUE CONTROL
APPARATUS
Appl. No.: 10/650,076
Filing Date: 8/28/2003
Examiner: B. R. Mohanty
Art Unit: 3747

TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Your Petitioner, JATCO Ltd, having its principal place of business at 700-1, Imaizumi, Fuji-shi, Shizuoka Japan, represents that it is the owner of the entire right, title, and interest in and to U.S. Patent Application Serial No. 10/650,076, filed 8/28/2003, by virtue of an Assignment filed and recorded on February 2, 2004, on Reel/Frame 014937/0740, in the United States Patent and Trademark Office, a copy of which is attached hereto as APPENDIX A. Further, your Petitioner represents that it is the owner of U.S. Patent Application No. 10/650,085, filed August 28, 2003, by virtue of an Assignment filed and recorded on February 2, 2004, on Reel/Frame 014944/0561, in the United States Patent and Trademark Office, a copy of which is attached hereto as APPENDIX B.

Your Petitioner, JATCO Ltd, hereby disclaims the terminal part of the term of any patent granted on U.S. Patent Application 10/650,076 which would extend beyond the full statutory term, as shortened by any terminal disclaimer, of any patent granted on U.S. Patent Application 10/650,085, and hereby agrees that any patent so granted on U.S. Patent Application 10/650,076 shall be enforceable only for and during such period that the legal title to any patent granted on U.S. Patent Application 10/650,085 shall be the same as the

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legal title to any patent granted on U.S. Patent Application 10/650,076, this agreement to run with any patent granted on U.S. Patent Application 10/650,076 and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, Petitioner does not disclaim any terminal part of any patent granted on U.S. Patent Application 10/650,076, prior to the full statutory term of any patent granted on U.S. Patent Application 10/650,085 as defined in 35 U.S.C. §§154-156 and 173, in the event that any patent granted on U.S. Patent Application 10/650,085 expires for failure to pay a maintenance fee, is held unenforceable or is found invalid in a final judgment by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321(a), has all claims canceled by a reexamination certificate or as a result of an interference proceeding, or is otherwise not deemed to provide the rights conveyed by 35 USC §154, prior to the full statutory term of any patent granted on U.S. Patent Application 10/650,085 as defined in 35 USC §§154-156 and 173, except for the separation of legal title stated above. Further, Petitioner does not disclaim any terminal part of a patent granted on U.S. Patent Application 10/650,076 that would extend beyond the present termination of any patent granted on U.S. Patent Application 10/650,085, in the event that such present term is extended by virtue of compliance with the conditions for term extension of any present or future patent term extension provisions of the patent law, including but not limited to 35 U.S.C. §§155, 155A or 156, and without waiving Petitioner's right to extend the term of a patent granted on U.S. Patent Application 10/650,076 to the extent provided by law.

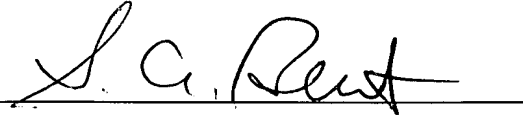
The undersigned, being the Attorney of Record for U.S. Patent Application 10/650,076, and duly authorized to act on behalf of Petitioner, certifies that he has reviewed the Assignments attached as APPENDICES A and B, and to the best of his knowledge and belief, legal title to U.S. Patent Application 10/650,076 and any patent granted on U.S. Patent Application 10/650,085 rests with Petitioners, JATCO Ltd. The undersigned declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such

willful false statements may jeopardize the validity of the above-identified application or any patent issuing therefrom.

Respectfully submitted,

Date November 12, 2004

By

A handwritten signature in black ink, appearing to read "S. A. Bent", written over a horizontal line.

FOLEY & LARDNER LLP
Customer No: 22428
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Stephen A. Bent
Attorney for Applicant
Registration No. 29,768



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

AUGUST 03, 2004

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FOLEY & LARDNER
PAVAN K. AGARWAL
WASHINGTON HARBOUR
3000 K STREET, N.W., SUITE 500
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RECORDATION DATE: 02/02/2004

REEL/FRAME: 014937/0740
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).
DOCKET NUMBER: 050374-0108

ASSIGNOR:
KANG, JIHOON

DOC DATE: 09/13/2003

ASSIGNOR:
KAWAMURA, YASUTAKA

DOC DATE: 09/13/2003

ASSIGNEE:
JATCO LTD
700-1, IMAIZUMI
FUJI-SHI, SHIZUOKA, JAPAN

SERIAL NUMBER: 10650076
PATENT NUMBER:
TITLE: ENGINE TORQUE CONTROL APPARATUS

FILING DATE: 08/28/2003
ISSUE DATE:

014937/0740 PAGE 2

SHARON LATIMER, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

FORM PTO-1595 (modified)

(Rev. 6-93)

02-05-2004

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U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

HEET

To the Director of the United States Patent and Trademark Office, attached original documents or copies thereof.

1. Name of conveying party(ies):

Jihoon KANG
Yasutaka KAWAMURA



2. Name and address of receiving party(ies):

JATCO Ltd
700-1, Imaizumi
Fuji-shi, Shizuoka Japan

Additional conveying party(ies)

NO

3. Nature of conveyance:

ASSIGNMENT

Execution Date:

September 13, 2003

Additional name(s) & address(es) attached? NO

4. Application number(s) or patent number(s):

If this is being filed together with a new application, the execution date of the application is:

A. Patent Application Number(s):

10/650,076

B. Patent Number(s):

Additional numbers attached? NO

5. Name and address of party to whom correspondence concerning document should be mailed:

Pavan K. Agarwal
FOLEY & LARDNER
Washington Harbour
3000 K Street, N.W., Suite 500
Washington, D.C. 20007-5143

6. Total number of applications/patents involved: 1

7. Total fee (37 C.F.R. § 3.41): \$40.00

☒ Check Enclosed

Charge to deposit account

8. Deposit account number: 19-0741

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Pavan K. Agarwal

February 2, 2004

Name of person signing

Signature

Date

Total number of pages including cover sheet, attachments, and document: 3

02/04/2004 MBETACHE 00000064 10650076

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ASSIGNMENT

U.S. Rights—Sole or Joint

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, each undersigned inventor has sold and assigned, and by these presents hereby sells and assigns, unto

*name and
address of
assignee*

JATCO Ltd

700-1, Imaizumi, Fuji-shi, Shizuoka, JAPAN

(hereinafter ASSIGNEE) all right, title and interest for the United States, its territories and possessions in and to this invention relating to

*title of
invention*

ENGINE TORQUE CONTROL APPARATUS

as set forth in this United States Patent Application

check one

☐ executed concurrently herewith

☐ executed on

☒ Serial No. 10/650,076

Filed August 28, 2003

in and to said United States Patent Application including any and all divisions or continuations thereof and in and to any and all Letters Patent of the United States which may issue on any such application or for said invention, including any and all reissues or extensions thereof, to be held and enjoyed by said ASSIGNEE, its successors, legal representatives and assigns to the full end of the term or terms for which any and all such Letters Patent may be granted as fully and entirely as would have been held and enjoyed by the undersigned had this Assignment not been made;

Each of the undersigned hereby authorizes and requests the Commissioner of Patents and Trademarks to issue any and all such Letters Patent to said ASSIGNEE, its successors or assigns in accordance herewith;

Each of the undersigned warrants and covenants that he has the full and unencumbered right to sell and assign the interests herein sold and assigned and that he has not executed and will not execute any document or instrument in conflict herewith;

Each of the undersigned further covenants and agrees he will communicate to said ASSIGNEE, its successors, legal representatives or assigns all information known to him relating to said invention or patent application and that he will execute and deliver any papers, make all rightful oaths, testify in any legal proceedings and perform all other lawful acts deemed necessary or desirable by said ASSIGNEE, its successors, legal representatives or assigns to perfect title to said invention, to said application including divisions and continuations thereof and to any and all Letters Patent which may be granted therefor or thereon, including reissues or extensions, in said ASSIGNEE, its successors, or assigns or to assist said ASSIGNEE, its successors, legal representatives or assigns in obtaining, reissuing or enforcing Letters Patent of the United States for said invention;

Each of the undersigned hereby grants the firm of FOLEY & LARDNER the power to insert in this Assignment any further identification which may be necessary or desirable to comply with the rules of the U.S. Patent and Trademark Office for recordation of this Assignment.

NAMES AND SIGNATURES OF INVENTORS		
Name: Jihoon KANG	Signature: Jihoon Kang	Date: 09/13/2003
Name: Yasutaka KAWAMURA	Signature: Yasutaka Kawamura	Date: 09/13/2003
Name:	Signature:	Date:
Name:	Signature:	Date:
Name:	Signature:	Date:
NAMES AND SIGNATURES OF WITNESSES		
Name:	Signature: Michio Aii	Date: 09/13/2003
Name:	Signature: Hirohide Kai	Date: 09/13/2003

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

AUGUST 04, 2004

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WASHINGTON HARBOUR
3000 K STREET, N.W., SUITE 500
WASHINGTON, D.C. 20007-5143

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RECORDATION DATE: 02/02/2004

REEL/FRAME: 014944/0561
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).
DOCKET NUMBER: 050374-0107

ASSIGNOR:
KANG, JIHOON

DOC DATE: 09/13/2003

ASSIGNOR:
KAWAMURA, YASUTAKA

DOC DATE: 09/13/2003

ASSIGNEE:
JATCO LTD
700-1, IMAIZUMI
FUJI-SHI, SHIZUOKA, JAPAN

SERIAL NUMBER: 10650085
PATENT NUMBER:
TITLE: ENGINE TORQUE CONTROL APPARATUS

FILING DATE: 08/28/2003
ISSUE DATE:

014944/0561 PAGE 2

TARA WASHINGTON, EXAMINER
ASSIGNMENT DIVISION
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02-05-2004

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(Rev 6-93)

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1. Name of conveying party(ies):

Jihoon KANG
Yasutaka KAWAMURA



2. Name and address of receiving party(ies):

JATCO Ltd
700-1, Imaizumi
Fuji-shi, Shizuoka Japan

Additional conveying party(ies)

NO

3. Nature of conveyance:

ASSIGNMENT

Execution Date:

September 13, 2003

Additional name(s) & address(es) attached?

NO

4. Application number(s) or patent number(s):

If this is being filed together with a new application, the execution date of the application is:

A. Patent Application Number(s):

10/650,085

B. Patent Number(s):

Additional numbers attached? NO

5. Name and address of party to whom correspondence concerning document should be mailed:

Pavan K. Agarwal
FOLEY & LARDNER
Washington Harbour
3000 K Street, N.W., Suite 500
Washington, D.C. 20007-5143

6. Total number of applications/patents involved:

1

7. Total fee (37 C.F.R. § 3.41):

\$40.00

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Charge to deposit account

8. Deposit account number:

19-0741

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Pavan K. Agarwal

February 2, 2004

Name of person signing

Signature

Date

Total number of pages including cover sheet, attachments, and document: 3

02/04/2004 HGETACHE 00000062 10650085

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40.00 DP

002.1143032.1

ASSIGNMENT

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, each undersigned inventor has sold and assigned, and by these presents hereby sells and assigns, unto

*name and
address of
assignee*

JATCO Ltd

700-1, Imaizumi, Fuji-shi, Sizuoka, JAPAN

(hereinafter ASSIGNEE) all right, title and interest for the United States, its territories and possessions in and to this invention relating to

*title of
invention*

ENGINE TORQUE CONTROL APPARATUS

as set forth in this United States Patent Application

check one

☐ executed concurrently herewith

☐ executed on

☒ Serial No. 10/650,085 Filed August 28, 2003

in and to said United States Patent Application including any and all divisions or continuations thereof and in and to any and all Letters Patent of the United States which may issue on any such application or for said invention, including any and all reissues or extensions thereof, to be held and enjoyed by said ASSIGNEE, its successors, legal representatives and assigns to the full end of the term or terms for which any and all such Letters Patent may be granted as fully and entirely as would have been held and enjoyed by the undersigned had this Assignment not been made;

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NAMES AND SIGNATURES OF INVENTORS		
Name: Jihoon KANG	Signature: <i>Jihoon Kang</i>	Date: 09/13/2003
Name: Yasutaka KAWAMURA	Signature: <i>Yasutaka Kawamura</i>	Date: 09/13/2003
Name:	Signature:	Date:
Name:	Signature:	Date:
Name:	Signature:	Date:
NAMES AND SIGNATURES OF WITNESSES		
Name:	Signature: <i>Michi An</i>	Date: 09/13/2003
Name:	Signature: <i>Hirohide Kai</i>	Date: 09/13/2003

Note: *Prima facie* evidence of execution may optionally be obtained by execution of this document before a U.S. Consul or before a local officer authorized to administer oaths whose authority is proved by a certificate from a U.S. Consul.